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BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 88-11-E - ORDER NO. 88-971
SEPTEMBER 22, 1988

IN RE: Application of Carolina Power &) ORDER DENYING
Light Company for an Increase in) PETITIONS FOR
Rates and Charges.) REHEARING AND
) RECONSIDERATION
) AND AMENDING
) PRIOR ORDER

On September 12, 1988, Nucor Steel (Nucor), the Consumer Advocate of South Carolina (the Consumer Advocate), and Carolina Power & Light Company (CP&L) filed Petitions for Reconsideration and Rehearing in the above-captioned Docket.

The Commission has considered the allegations of error set forth by the Petitions and denies the relief requested. The Commission, however, does want to address one issue raised in Nucor's Petition for Reconsideration and Rehearing. In Nucor's Petition it requests that the Commission order CP&L to refund distribution voltage discounts to Nucor. Nucor states in its Petition that in the last rate case, Docket No. 87-7-E, Order No. 87-902, dated August 26, 1987, the Commission permitted CP&L to modify the language of the distribution service voltage credit tariff. Nucor states that under that tariff as approved in CP&L's last rate case by the Commission, CP&L is entitled to the distribution service voltage discount. Nucor alleges that CP&L should be ordered to refund to Nucor the amount overbilled with

interest.

The Commission calls Nucor's attention to CP&L's last rate Order, Order No. 87-902, pp. 72 through 75 in which the Order discusses the evidence in the record and sets forth the reasons why the Commission approved CP&L's revised tariff and denied Nucor the relief it requested. Further, the Commission points out that Nucor did not appeal that issue or any other issue in Order No. 87-902 during the time period allowed by law.

The Commission Staff requested that the Commission amend Order No. 88-864 to allow CP&L sixty (60) days to file quarterly reports instead of forty-five (45) days as was stated in Order No. 88-864. The Commission approves Staff's request and amends the Order.

As to the remaining allegations in the Petitions for Reconsideration and Rehearing, the Commission finds that the decisions of the Commission as embodied in Order No. 88-864 are fully supported in law, logic and fact and such provisions should not be modified or vacated. As to each issue set forth in the Petition, the Commission weighed the testimony and evidence presented, evaluated the credibility and probative value of such evidence and testimony and fulfilled its responsibility by deciding which evidence was persuasive.


The findings, conclusions, and provisions of Order No. 88-864 represent a well-considered evaluation of the evidentiary record and a reasonable balance of the interests advanced by the parties of record at the Commission and of the general public interest. Therefore, the Petitions for Reconsideration and Rehearing filed by

Nucor Steel, the Consumer Advocate of South Carolina, and Carolina Power & Light Company should be denied.

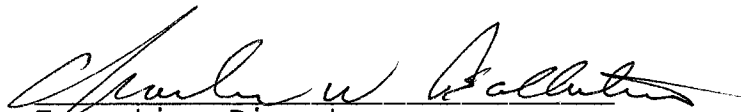
IT IS THEREFORE ORDERED:

1. That the relief requested in the Petitions for Reconsideration and Rehearing of Order No. 88-864 are denied.
2. That the request of the Commission Staff to amend Order No. 88-864 to allow Carolina Power & Light Company sixty (60) days to file quarterly reports instead of forty-five (45) days is granted.
3. That the provisions of Order No. 88-864 shall remain in full force and effect as originally promulgated.
4. That this Order shall remain in full force and effect until further of the Commission

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)